



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution to increase parking fines for both the Lodi Municipal Code and California Vehicle Code Sections.

MEETING DATE: February 18, 2009

PREPARED BY: David J. Main, Chief of Police

RECOMMENDED ACTION: Adopt Resolution to increase parking fees for both the Lodi Municipal Code and California Vehicle Code Sections.

BACKGROUND INFORMATION: On January 1, 2009, California Government Code Section 70372 was amended to require cities to forward an additional \$3 from each parking citation to the state for deposit in the State Court Facilities Construction Fund.

This change in State law (SB 1407) prompted the Police Department to review the current bail amounts for parking violations for the Lodi Municipal Code and the California Vehicle Code. Our schedule has not been adjusted since 2003 and is outdated. For instance, the City must pay an additional \$4 every time a parking citation is issued to a vehicle that missing a license plate.

Section 40203.5 of the California Vehicle Code permits governing bodies to set the schedules of parking penalties and recommends standardize parking penalties within the same county. An analysis of our current bail schedule revealed that our schedule of parking penalties is considerably lower for most sections than other jurisdictions.

Additionally, the Judicial Council provides a bail schedule for California Vehicle Code Sections that we commonly cite. These bail amounts have increased each of the last five years and are currently 34.2 percent higher than our bail amounts. The proposed bail schedule (see appendix A) is a reasonable adjustment to bring it to a level more in line with other county jurisdictions. In most cases, the bail amounts will increase from \$25 to \$37.

Revenue from parking citations is minimal, amounting to roughly 0.2 percent of General Fund revenue. Out of a typical \$25 citation, \$8 goes to the State and nearly \$2 is retained by the firm that processes citations. The City received \$82,920 from parking citations in FY 2007/08, and revenue in FY 2008/09 is \$41,505 at the midway point. Budgeted revenue is \$98,000 for the year. Although increasing the bail amount may result in a slight increase in revenue, its primary purpose is to recover our costs and deter motorists from parking violations.

FISCAL IMPACT: Raising bail amounts will allow us to recover the new State-imposed fee and other costs associated with processing parking citations. Failing to increase the bail amounts will result in an estimated \$10,000 reduction in revenue due to SB 1407.

FUNDING AVAILABLE: None


David J. Main
Chief of Police

DJM:gwb:sm
Cc: City Attorney
Attachments

APPROVED: 
Blair King, City Manager

Adopt Resolution to increase parking fines for both the Lodi Municipal Code and California Vehicle Code Sections
February 18, 2009
Page Two

Appendix A

Section	Offense	Current Fine	Proposed Fine
10.44.010 B	Overtime Parking 30min	\$20.00	\$30.00
10.44.010 B	Permit Zone on City Streets	\$25.00	\$37.00
10.44.020 A	No Parking sign, or Red Curb	\$25.00	\$37.00
10.44.020 B	Parking on Sidewalk or Parkway	\$25.00	\$37.00
10.44.020 C	Parking in alley except loading/unloading	\$25.00	\$37.00
10.44.020 D	Special Event no parking when previously signed 24-hours	\$25.00	\$37.00
10.44.020 G	Blocking wheelchair ramp where signed or red curb	\$25.00	\$37.00
10.44.030	Parking exceeds 72 consecutive hours	\$30.00	\$44.00
10.44.040 A	Vehicle "For Sale" except at the residence of owner	\$25.00	\$37.00
10.44.040 B	Person of firm displaying three or more vehicles for sale on public roadway/right-of-ways	\$50.00	\$70.00
10.44.040 C	For sale within 200 feet of signalized intersection	\$25.00	\$37.00
10.44.040 D	For Sale on private property within 30-feet of public street	\$25.00	\$37.00
10.44.040 F	Use of public street washing/publishing vehicles if charge is made for such service	\$25.00	\$37.00
10.44.050	Parking in position that obstructs traffic	\$25.00	\$37.00
10.44.070	No Parking of vehicle 6-feet in height, including load, within 100-feet of any signed and designated intersection	\$25.00	\$37.00
10.44.100 A	Angled Parking – out of markings	\$25.00	\$37.00
10.44.100 B	Angle Parking – Front wheel within 6" of curb	\$25.00	\$37.00
10.44.110 B	Out of designated space – straddling spaces	\$25.00	\$37.00
10.44.130 B	Permit required zone in City Lot	\$25.00	\$37.00
10.44.150 B	"Loading Zone" 20 minute Max, 3 minutes for passengers	\$25.00	\$37.00
10.44.150 C	"Passenger Loading Zone" 3 minutes max, Freight prohibited	\$25.00	\$37.00
10.48.010 A	Residential Permit required	\$20.00	\$30.00
10.52.050 A	Commercial vehicle, 10,000 GVW in residential district	\$30.00	\$44.00
10.52.050 B	Commercial vehicle outside specific signed area	\$30.00	\$44.00
10.52.060 A	Semi-trailer unattended without tractor on any public street, all, etc.	\$30.00	\$44.00
10.52.080 A	Commercial vehicle auxiliary engine within 250 feet of residential district between 10 pm and 7 am	\$50.00	\$70.00
15.40.100 C	Private property Fire Lane properly signed	\$25.00	\$37.00
17.60.190	Specific commercial vehicles greater than 3,000 GVW shall not park on private property in residential Zones unless out of public view.	\$25.00	\$37.00
17.60.160A	No vehicle parked on unapproved yard. Anti- "Yard Car" Washing and cleaning of such vehicle is exempt, or if behind an opaque fence 7-feet	\$25.00	\$37.00

CVC Sections

Section	Offense	Current Fine	Proposed Fine
thru i)			
22502 (a)	Parallel Parking Within 18" of Curb	\$32.00	\$47.00
22514	Fire Hydrant Within 15 feet	\$32.00	\$47.00
5200	Display of License Plate	\$76.00 or PC + \$10.00'	\$102.00 or PC + \$10.00"
5204	No Current Registration Tag	\$76.00 or PC + \$10.00'	\$102.00 or PC + \$10.00'

Late Fees	Fees paid if citation is not paid or contested within 21 calendar days	\$3000	\$40.00
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* Maximum fine is set by judicial council and \$10.00 Proof of Correction fee is set by CVC section 40225

RESOLUTION NO. 2009-19

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING FEE INCREASES FOR PARKING FINES

=====

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

WHEREAS, the Lodi Municipal Code requires the City Council, by Resolution, to set fees for various services provided by the City of Lodi to recover those costs associated with providing specific services and programs; and

WHEREAS, staff recommends increasing fees for parking citation fines, as shown on the attached schedule marked Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby implement the fee schedules **as** attached hereto and made a part of this Resolution; and

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict herewith are repealed insofar as such conflict may exist; and

FURTHER RESOLVED that this resolution shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect fifteen (15) days from the date of its adoption, or as soon thereafter as administratively possible.

Dated: February 18, 2009

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I hereby certify that Resolution No. 2009-19 was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 18, 2009, by the following vote:

AYES: COUNCIL MEMBERS – Johnson, Katzakian, Mounce, and
Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hitchcock

ABSTAIN: COUNCIL MEMBERS – None


RANCI OHL
City Clerk

Exhibit A

Section	Offense	Fine
10.44.010 B	Overtime Parking 30min	\$30.00
10.44.010 B	Permit Zone on City Streets	\$37.00
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10.44.030	Parking exceeds 72 consecutive hours	\$44.00
10.44.040 A	Vehicle "For Sale" except at the residence of owner	\$37.00
10.44.040 B	Person of firm displaying three or more vehicles for sale on public roadway/right-of-ways	\$70.00
10.44.040C	For sale within 200 feet of signalized intersection	\$37.00
10.44.040D	For Sale on private property within 30-feet of public street	\$37.00
10.44.040F	Use of public street washing/publishing vehicles if charge is made for such service	\$37.00
10.44.050	Parking in position that obstructs traffic	\$37.00
10.44.070	No Parking of vehicle 6-feet in height, including load, within 100-feet of any signed and designated intersection	\$37.00
10.44.100 A	Angled Parking – out of markings	\$37.00
10.44.100 B	Angle Parking – Front wheel within 6" of curb	\$37.00
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10.48.010 A	Residential Permit required	\$30.00
10.52.050 A	Commercial vehicle, 10,000 GVW in residential district	\$44.00
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10.52.060 A	Semi-trailer unattended without tractor on any public street, all, etc.	\$44.00
10.52.080 A	Commercial vehicle auxiliary engine within 250 feet of residential district between 10 pm and 7 am	\$70.00
15.40.100 C	Private property Fire Lane properly signed	\$37.00
17.60.190	Specific commercial vehicles greater than 3,000 GVW shall not park on private property in residential Zones unless out of public view.	\$37.00
17.60.160 A	No vehicle parked on unapproved yard. Anti- "Yard Car" Washing and cleaning of such vehicle is exempt, or if behind an opaque fence 7-feet high	\$37.00
CVC Sections		
Section	Offense	Fine
22500 (a thru i)	Assorted Vehicle code violations	\$47.00
22502 (a)	Parallel Parking Within 18" of Curb	\$47.00
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Late Fees	Fees paid if citation is not paid or contested within 21 calendar days	\$40.00
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*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

**SUBJECT: RESOLUTION APPROVING FEE INCREASES FOR PARKING
FINES**

PUBLISH DATE: SATURDAY, FEBRUARY 21, 2009


BORDERED AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, FEBRUARY 19, 2009

ORDERED BY: RANDI JOHL
CITY CLERK


JENNIFER M. PERRIN, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Faxed to the Sentinel at 369-1084 at 3:15 (time) On 2/19/09 (date) 3 (pages)
Phoned to confirm receipt of all pages at _____ (time) _____ CF _____ MB _____ JMP (initials)

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

February 21st,

all in the year 2009.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 21st day of February 2009.



Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication

Resolution Approving Fee Increases for Parking Fines

RESOLUTION NO. 2009-19

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ABSTAIN: COUNCIL MEMBERS - None

RANDI JOHL
City Clerk

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